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Shelby Cnty Judge of Probate, AL
09/02/2005 02:21:33PM FILED/CERT

STATE OF ALABAMA
COUNTY OF JEFFERSON

SCRIVENER'S AFFIDAVIT

Before me, the undersigned, a Notary Public, in and for said County and state, personally appeared VERNON N. SCHMITT, being duly sworn upon her oath, deposes and states as follows:

1. I am a licensed, practicing attorney in Leeds, Alabama. I prepared that certain Warranty Deed, Joint Tenants with Right of Survivorship from Frances Long Harris, a/k/a Frances Long Gardner, an unmarried person to Michael E. Fowery and wife, Carolyn N. Fowery, dated May 18, 2004, recorded in Instrument # 20040520000267150, in the Probate Office of Shelby County, Alabama (the "Deed").

2. It was brought to my attention that the legal description on the Deed is incorrect, due to an error on the survey from which the legal description was derived. This affidavit is to correct said error by certifying the following description of the real estate:

A parcel of land situated in the Northeast Quarter of the Northeast Quarter of Section 33, Township 17 South, Range 1 East, being more particularly described as follows:

Commence at the Northwest corner of the Northeast Quarter of the Northeast Quarter of Section 33, Township 17 South, Range 1 East, Shelby County, Alabama; thence run Southeasterly along the diagonal line, being the Northeast line of Southwest 1/2 of the Northeast Quarter of the Northeast Quarter of said Section 33, a distance of 979.43 feet to the point of beginning of parcel herein described; thence continue Southeasterly along last described course a distance of 215.13 feet; thence turn right 89 degrees 39 minutes 48 seconds and run Southwesterly a distance of 105.11 feet; thence turn right 24 degrees 35 minutes 33 seconds and continue Southwesterly a distance of 225.83 feet; thence turn right 111 degrees 20 minutes 41 seconds and run Northerly a distance of 307.12 feet; thence turn right 89 degrees 30 minutes 00 seconds and run Easterly a distance of 129.74 feet to the point of beginning.

Situated in Shelby County, Alabama.

Let the records reflect said legal description of the real estate.

This Scrivener's Affidavit is being given to properly reflect the legal description of the real estate and to clear any questions as to the validity of the Deed herein described above.

GIVEN this 20th day of August, 2005.

Vernon N. Schmitt
Vernon N. Schmitt
ATTORNEY AT LAW

STATE OF ALABAMA
Jefferson COUNTY

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Vernon N. Schmitt, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of such instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 20th day of August, 2005.

(SEAL)

Kimberly A. Osbell
NOTARY PUBLIC
My Commission expires: 4/11/2007

This instrument was prepared by:
Donna M. Jennings, 4000 Eagle Point Corporate Drive, Birmingham, AL 35242